



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Ashkenazi et al. Docket No.: 39780-2730P1C2
Serial No.: 09/990,711 Group Art Unit: 1646
Filing Date: November 14, 2001 Examiner: Kemmerer, Elizabeth
For: **SECRETED AND TRANSMEMBRANE POLYPEPTIDES AND
NUCLEIC ACIDS ENCODING THE SAME**

PRELIMINARY AMENDMENT

MS: RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This Preliminary amendment accompanies a Request for Continued Examination under 37 CFR § 1.114 for the above identified application. A Notice of Appeal was filed April 14, 2004 in this case. This RCE filing and Preliminary amendment are being timely filed (since November 14, 2004 was a Sunday) concurrent with a Petition for Extension of Time for five months to maintain co-pendency of this application. Also attached herewith are a Declaration by Paul Polakis, Ph.D., and articles by (i) Orntoft *et al.*, (ii) Hyman *et al.*, (iii) Pollack *et al.*, and (iv) Hanna and Mornin. Also attached is an Information Disclosure Statement. Please enter the following amendments, and consider the following arguments.

Amendments to the Claims are reflected in the listing of claims that begins on page 2 of this paper.

Remarks/Arguments begin on page 3 of this paper.

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